IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO: 16510 of 1995

Between:

Dr.B.Sarabhalingam S/o.Shri Perraju
R/o. Visakhapatnam

..... PETITIONER

AND

1 The Special Deputy Collector Land Acquisition, A.P.I.I.C
Industrial Estate Visakhapatnam.
2 The Dist Collector, Visakhapatnam
3 The Mandal Revenue Officer, Peravada Visakhapatnam Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proposed action of the respondents to alienate the land belonging to the petitioner in S.No.113/2 and 118/2 of Lemarthi Agraharam, Paravada Mandal, Visakhapatnam District of an extent of Ac.2-00 and Ac.1-40 cents respectively as wholly without jurisdiction, violative of Art.300-A of the Constitution of India.

Counsel for the Petitioner:MR.P.SRI RAGHU RAM

Counsel for the Respondents: MR.R.SUBBA RAO

The Court made the following O R D E R:

In this case, the writ petitioner seeks a direction to the respondents not to alienate the land belonging to the petitioner situated in Sy.Nos.113/2 and 118/2 of Lemarthi Agraharam, Paravada Mandal, Visakhapatnam, to an extent of Ac.2.00 and Ac.1.40 gts respectively.

In the counter affidavit, the respondents have stated that this land belongs to the Government and some pattas, which have been pressed into service by the petitioner, are bogus. These are the matters, which cannot be decided by this Court in this writ petition. The question relating to title involves questions of fact. Therefore, this writ petition is misconceived. The petitioner is at liberty to workout his remedy in the appropriate forum, if so advised.

The writ petition is dismissed. No order as to costs.

_____

(Bilal Nazki, J)

20th January, 2005.

vrn

To

1 The Special Deputy Collector Land Acquisition, A.P.I.I.C
Industrial Estate Visakhapatnam.

2 The Dist Collector, Visakhapatnam

3 The Mandal Revenue Officer
Peravada Visakhapatnam Dist.

4 Two CD copies.